

BY-LAWS OF THE HAMPTON WETLANDS BOARD

RULE #1 ELECTION AND DUTIES OF OFFICERS OF THE BOARD

(1) At each regular December meeting, the Board shall elect from its membership, a Chairman and Vice-Chairman to serve for one (1) year, unless they resign or are removed from office. Should such a vacancy occur, the office shall be filled at the next regular meeting by election from the membership. Should both offices be vacant, the Staff Coordinator shall preside at the next regular meeting until the election can be held.

(2) The Chairman shall preside over the meetings of the Board, with the same powers and duties as the other members, with a vote but no veto power. He shall be the official head of the Board, and shall perform such other duties not inconsistent with his office as may be imposed by the Board. The affairs of the Board shall be under the general direction of the Chairman. The Chairman, in making a motion, shall vacate as presiding officer and make a motion as any other member. He shall call the meetings to order promptly at the hour for holding such meetings and, if a quorum be present, shall cause the minutes of the preceding meeting to be read, after which same shall be approved unless a member calls for some correction in said minutes.

(3) The Vice-Chairman, in the absence or disability of the Chairman, and while acting as Chairman, shall be invested with all the authority and duties of the Chairman.

(4) In the absence of both the Chairman and Vice-Chairman, the Board shall elect by a majority vote of the members present a member as Acting Chairman, who shall preside over the meeting and shall, while acting as Chairman, be invested with all the authority and duties of the Chairman.

RULE # 2 MEETINGS OF THE BOARD

(1) Regular meetings

- (a) The meetings of the Board shall be open to the public. They shall be held in the Council Chambers of the City Hall of the City of Hampton, or such other place as designated by the Chairman, at 5:00 p.m. on the fourth (4th) Tuesday of each month. The regular meeting of the Board shall be held as designated above unless such date falls upon a legal holiday, in which case the meeting shall be held on the next succeeding Tuesday, which is not a legal holiday. And at the same hour, except as otherwise provided by special resolution of the Board. No new business may be brought before the Board after 8:00 p.m.
- (b) Persons wishing to have the privilege of the floor before the Board, other than at a public hearing, shall request such privilege in writing prior to the meeting date and upon invitation of the Chairman, providing such may be waived by the Chairman at this discretion.

(2) Special meetings

- (a) The Chairman or any two (2) members of the Board may direct the Staff Coordinator to call a special meeting of the Board at any time upon at least five (5) days notice to each member, personally notified at his usual place of business or residence, and the public, according to Section 2.1-343 of the Code of Virginia.
- (b) No special meeting open to the public shall be held unless it is called or authorized by a majority vote of the Board. When any such special meeting for the public is held, public notice shall be given as required by the State Code.

(3) Public hearings.

- (a) When any public hearing is to be held, public notice shall be given as required by the State Code.
- (b) At a public hearing, persons who desire to be heard shall, when recognized by the Chairman, proceed to the appointed place, state their name, address, address of property to be referred to, and in the case of an agent or representative speaking for more than one location, furnish a written list giving names and addresses. Any questions asked of the person who is being heard, other than those from the Board members, shall be directed to the Chairman of the Board.

RULE #3 ORDER OF BUSINESS

- (1) At every regular meeting, the order of business shall be as follows:
 - (a) Roll call
 - (b) Consideration of minutes of previous meeting
 - (c) Agenda for meeting to be prepared by the Staff Coordinator, as directed by the Chairman, and to include all items of which he has been notified at least twenty (20) days prior to the meeting
 - (d) Items to be presented by the public
 - (e) Matters by the Board members
- (2) The order of business at special meetings shall be as follows:
 - (a) Roll call
 - (b) Reading of call for special meeting, if written, or stated, if verbal
 - (c) Discussion of business on agenda in order given on agenda
- (3) The order of business at regular or special meetings shall not be departed from except by the consent of the majority of members attending.

RULE #4 PROCEDURE

- (1) Three (3) members shall constitute a quorum for the transaction of business. In the absence of a quorum, at the expiration of fifteen (15) minutes from the time appointed for the meeting, the Chairman shall call the meeting to order, declare that there is no quorum present, set a time and date for the next meeting, and continue all items to that meeting.

- (2) No motion for reconsideration shall be in order, except by consent of at least three (3) members of the entire Board, but no motion to reconsider shall be entertained, unless the same is made by one of the members voting with the prevailing side.
- (3) Upon all procedural questions not covered by the by-laws or state law, the general rules of parliamentary procedure (Roberts Rules of Order, Newly Revised) shall govern.
- (4) Any member wishing to abstain from voting on any matter before the Board shall state for the record the reason for such abstention.

RULE #5 DUTIES OF THE STAFF COORDINATOR

- (1) The Board shall designate a regular staff member or other employee to serve, in addition to his regular duties, as Staff Coordinator of the Board; he shall attend all regular and special meetings of the Board, as well as the meetings of any special committees of the Board if required. He shall record the proceedings of the Board meeting in a journal, which is provided for that purpose, and the same shall be properly indexed.
- (2) He shall perform such other clerical and administrative duties on behalf of the Board or its members as the Board may by resolution prescribe.
- (3) He shall keep a roll of the Board and shall enter thereon the names of the members in inverse order according to their length of service with the Board, except the Chairman who shall be last; he shall use this roll in the above order in recording all votes which are required to be recorded.
- (4) If the Staff Coordinator requires clerical assistance at any of the Board's meetings, he may, with the approval of the Chairman, bring whatever assistance he requires.
- (5) On behalf of the Chairman, the Staff Coordinator may sign all official correspondence of the Board, with the exception of the minutes of Board meetings, the notice of action from such meetings, and individual permits.

RULE #6 CONFLICT OF INTEREST

In any matter which is pending before the Board, the actions of the members shall be in accordance with Chapter 40.1 of Title 2.1 of the Code of Virginia, entitled "State and Local Government Conflict of Interest Act."

RULE #7 COMMITTEES

Special committees may be established by the Board to make studies or carry out functions of the Board.

RULE #8 AMENDMENT OF BY-LAWS

The rules of the By-laws may be amended at any meeting by the affirmative vote of at least three (3) members, but not until it has been proposed and read in full at a prior meeting. Any recommendation or plan submitted to the Board shall be by a majority of the entire Board.